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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ROBERT LEE JACKSON,
12 Plaintiff,

No. CIV.S-05-0930 DFL DAD PS

13 v.

FINDINGS AND RECOMMENDATIONS

14 BANK OF AMERICA,
15 Defendant.
16 _____/

17 Plaintiff is proceeding in this action pro se and in forma
18 pauperis pursuant to 28 U.S.C. § 1915. The matter was referred to a
19 United States Magistrate Judge by Local Rule 72-302(c)(21) pursuant to
20 28 U.S.C. § 636(b)(1).

21 By order filed October 21, 2005, plaintiff's complaint was
22 dismissed and twenty days leave to amend was granted. The twenty day
23 period has now expired, and plaintiff has not filed an amended
24 complaint or otherwise responded to the court's order. Accordingly,
25 the court HEREBY RECOMMENDS that this action be dismissed without
26 prejudice. See L.R. 11-110; Fed. R. Civ. P. 41(b).

1 These findings and recommendations are submitted to the
2 United States District Judge assigned to the case, pursuant to the
3 provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being
4 served with these findings and recommendations, plaintiff may file
5 written objections with the court. Such a document should be
6 captioned "Objections to Magistrate Judge's Findings and
7 Recommendations." Plaintiff is advised that failure to file
8 objections within the specified time may waive the right to appeal the
9 District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir.
10 1991).

11 DATED: November 17, 2005.

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14 DALE A. DROZD
15 UNITED STATES MAGISTRATE JUDGE

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